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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/771,691

01/30/2001

Nobuo Yatsu

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8151

21171

7590

06/25/2007

STAAS & HALSEY LLP

SUITE 700

1201 NEW YORK AVENUE, N.W.

WASHINGTON, DC 20005

EXAMINER

BALI, VIKKRAM

ART UNIT

PAPER NUMBER

2624

MAIL DATE

DELIVERY MODE

06/25/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 09/771,691	Applicant(s) YATSU ET AL.	
	Examiner Vikkram Bali	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 June 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Per the arguments filled on 6/12/2007, the finality (office action dated 5/7/2007) is withdrawn, and the action follows:

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection. In remarks section of the amendment filled on 2/6/2007, applicant only argues that newly added limitation to the independent claims. And, therefore, a new ground of rejection is warranted.

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-15 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srey et al (SU 6141436) in view of Bongiorno et al (US 6292045) and further view of Sano et al. (US 6985582).

With respect to claim 1, Srey discloses a data converter (see figure 3 a cellular phone), with a data conversion unit (the function of the cellular phone i.e. cell phone letting you to make a call or not col. 3, lines 5-20) and a lock system configured to locks the conversion function of the conversion unit in a disable (see col. 3, lines 5-20, the disable function is done) as claimed. However, he fails to disclose a predetermined period of time to prevent data conversion; the conversion unit configured to encrypt the decrypt data and decrypt the encrypt data and returns it back to the external device, and a connector part configured to directly connect to and disconnect from a slot part of the external device as insertably connects and disconnects, as claimed.

Bongiorno teaches that cellular phones contains the microprocessors and that the microprocessors does includes clocks "predetermined period of time" that while in operation does disable the operation once the predetermined time period happens, see col. 1, lines 10-18 and col. 1, lines 30-39, as claimed. Therefore, it would have been obvious to one ordinary skilled in art at the time of invention can combine the two references as the cellular phone does has the clock that has the feature of able or disable "prevent the data conversion", and having the function of prevent the data conversion is suggested in the Srey disclosure (see col. 3, lines 17-19).

Sano in encryption/ decryption unit and storage medium teaches the conversion unit configured to encrypt the decrypt data and decrypt the encrypt data and returns it back

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to the external device, and a connector part configured to directly connect to and disconnect from a slot part of the external device as insertably connects and disconnects, (see figure 1, numerical 10, the encryption and decryption unit, and numerical 21 and 22 as the data that needs to be encrypted or decrypted, and figure 12, the numerical 231 the memory card the "external device", and for the description please see col. 4, lines 5-18, 35-40 and col. 14, lines 51-68) as claimed. Therefore, it would have been obvious to one ordinary skilled in the art at the time of invention to simply use the teachings of the Sano's system in to the Srey and Bongiorno system in order to get the improved data processing security system (see col. 1, lines 14-18 of Sano) for the motivation.

With respect to claim 2, Srey further discloses, lock release system which release the lock, (see col. 3, lines 29-36) as claimed.

With respect to claim 3, Srey further discloses, a data input, a recording unit and control unit, (see col. 3, lines 48-56) as claimed.

With respect to claim 4, Srey further discloses, data input unit formed of entry keys, (see col. 3, lines 2-8, cellular phone has key pads) as claimed.

With respect to claims 5 and 6, Srey further discloses, input unit is a plane coordinate input unit; data input unit is an input unit, a plane coordinate input unit, a display, (see col. 4, lines 24-31) as claimed.

With respect to claim 7, Srey further discloses, data input unit is a fingerprint input unit, (see col. 3, lines 48-56) as claimed.

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With respect to claims 8 and 9, it is well known to use either capacitive fingerprint sensor "measure static electricity" of the optical sensor "optically acquires" for obtaining the fingerprint. Therefore, it would have been obvious to one ordinary skilled in art at the time of invention to simply use the well known features of either capacitive or optical sensor to obtain the fingerprints as this is conventionally use.

With respect to claims 10 and 11, Srey further discloses, a recording unit, a control unit and the external device includes an input unit; (see col. 3, lines 48-56, and the external device is the processor connected to figure 7, numerical 203) as claimed.

With respect to claim 12 and 13, Bongiorno teaches the time settings, (see col. 1, lines 33-35, the pre set time) as claimed.

With respect to claims 14 and 15, it is well known to have an icon on the cellular phones to show "display" if the phone is locked "disable" or not lock "enable".

Therefore, it would have been obvious to one ordinary skilled in art at the time of invention to simply use the well-known features of display icon to make the apparatus user friendly.

Claims 18 and 19 are rejected for the same reasons as set forth in rejection of claims 1 and 11, because the claims 18 and 19 are claiming the similar subject matter as claims 1 and 11.

With respect to claim 20 Bongiorno further teaches that cellular phones contains the microprocessors and that the microprocessors does includes clocks "timer unit" that while in operation does disable the operation once the time out happens, (see col. 1, lines 10-18 and col. 1, lines 30-39), as claimed.

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

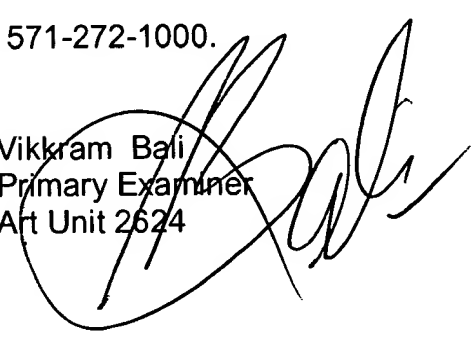
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vikkram Bali whose telephone number is 571.272.7415. The examiner can normally be reached on 7:00 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on 571.272.6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vikkram Bali  
Primary Examiner  
Art Unit 2624



vb  
June 19, 2007